

EXHIBIT N

Re: [GeoTag] Meet and confer

Eric Buether

Sent: Wednesday, December 07, 2011 7:35 PM

To: Michael Bittner [bittner@fr.com]

Michael, can the defendants identify which claim terms you believe should be part of the proposed expedited claim construction proceeding and why the defendants believe expedited claim construction of these term would likely provide a realistic basis for Dispositive motions?

Sent from my iPhone

On Dec 7, 2011, at 2:11 PM, "Michael Bittner" <bittner@fr.com> wrote:

Eric and Hao,

To aid the meet-and-confer discussion, here are Defendants current thoughts. Note, these are only Defendants' initial thoughts, as such they are subject to on-going client approval and further revision.

As you suggested below, it will likely be beneficial to exchange Plaintiff's and Defendants' thoughts in writing later this week following our meet-and-confer.

- Michael

Step A (Expedited *Markman*, Voluntary Discovery of Technical Documents/Source Code)

- (1) **late December 2011 or early January 2012:** Parties submit joint Protective Order (or competing proposals if no agreement can be reached)
- (2) **early January 2012:** Plaintiff discloses to Defendants all Local Patent Rule 4 disclosures and litigation documents (including briefs, depositions, and written discovery) regarding the Patent-in-Suit from the prior litigations, including *Geomas (Int'l) Ltd v. Idearc Media Services-West, Inc.* (Case No. 2:06-cv-475) and *CityHub.com, Inc. v. John Veenstra*, No. 2:09-CV-143 (E.D. Tex. May 12, 2009).
- (3) **mid February 2012:** Deadline by which Defendant may produce technical documents and source code.
- (4) **mid March 2012:** Deadline for Plaintiff to update its infringement contentions with references to source code and technical documents.
- (5) **late March 2012:** Defendants disclose the five terms/limitations requested to be construed by the Court during the expedited *Markman* proceedings. See Local Patent Rule 4-1(a)).
- (6) **mid April 2012:** Parties simultaneously exchange preliminary proposed constructions for each term or limitation identified above. Parties identify any extrinsic evidence they contend support their respective claim constructions. See Local Patent Rule 4-2(a) and (b).
- (7) **late April 2012:** Deadline for the Parties meet-and-confer to narrow the issues for the expedited *Markman* proceedings. Deadline for the Parties to file Joint Claim Construction and Prehearing Statement for expedited *Markman* proceedings. See Local Patent Rule 4-2(c) and 4-3.
- (8) **mid May 2012:** Defendants shall serve opening claim construction brief on the terms identified to expedited *Markman* proceedings.
- (9) **late May 2012:** Plaintiff shall serve responsive claim construction brief.
- (10) **mid June 2012:** Defendants shall serve reply claim construction brief.
- (11) **June or July 2012:** *Markman* hearing (as allowed by Court schedule).
- (12) **TBD:** Court issues *Markman* ruling.

Step B (Expedited MSJs or Mediation following *Markman* determination)

- (1) **Completion of Step A + 30 days:** Plaintiff shall produce all prior licenses related to the Patent-in-Suit.
- (2) **Completion of Step A + 60 days:** Deadline for Defendants to either (i) file a dispositive motion based on the Court's claim construction ruling, or (ii) indicate to Plaintiff that it will engage in mediation. ^[1]
- (3) **Completion of Step A + 90 days:** Voluntary meditation deadline.
- (4) **TBD:** Court issues ruling on dispositive motions.

Step C (CMC to address remaining Defendants, Invalidity Disclosures, Discovery)

- (1) **TBD after Completion of Step B:** Case Management Conference to address remaining Defendants (as allowed by Court schedule).
- (2) **Completion of Step B + 30 days:** Defendants serve Local Patent Rule 3-3 and 3-4 Disclosures.
- (3) **Completion of Step B + 60 days:** Parties may serve Discovery Requests pursuant to Federal Rules of Civil Procedure 33, 34, and 36.